



REGISTRAR OF REGULATIONS

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COMMONWEALTH of VIRGINIA

Department of Health
DIVISION OF SHELLFISH SANITATION
109 Governor Street, Room 614-B
Richmond, VA 23219

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NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 005-083, LOWER MACHODOC CREEK

EFFECTIVE 5 DECEMBER 2005

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

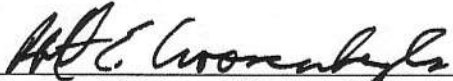
1. The "Notice and Description of Shellfish Area Condemnation Number 005-083, Lower Machodoc Creek," effective 24 January 2005, is cancelled effective 5 December 2005.
2. The "Notice and Description of Shellfish Area Condemnation Number 165, Cabin Point Creek," effective 27 April 1989, is cancelled effective 5 December 2005.
3. Condemned Shellfish Area Number 005-083, shown as Sections A through E, is established, effective 5 December 2005. It shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in Section 28.2-810 of the *Code of Virginia*. The boundaries of these areas are shown on the map titled "Lower Machodoc Creek, Condemned Shellfish Area Number 005-083, 5 December 2005" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

BOUNDARIES OF CONDEMNED AREA NUMBER 005-083

- A. The condemned area shall include that portion of Ames Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (38°07'40.3", -76°39'19.4") and map coordinate (38°07'37.7", -76°39'15.6").
- B. The condemned area shall include that portion of Lower Machodoc Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (38°06'32.3", -76°38'33.4") and map coordinate (38°06'21.7", -76°38'41.1").
- C. The condemned area shall include all of Branson (Bellfield) Cove and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (38°08'30.1", -76°38'20.5") and map coordinate (38°08'28.7", -76°38'09.3").

- D. The condemned area shall include all of Cabin Point Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (38°08'29.3", -76°39'40.6") and map coordinate (38°08'28.5", -76°39'40.5").
- E. The condemned area shall include all of Weatherall Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (38°07'54.7", -76°39'03.1") and map coordinate (38°07'54.1", -76°39'03.9").

Recommended by:



Director, Division of Shellfish Sanitation

Ordered by:



State Health Commissioner



Date

A horizontal number line representing distance in feet. The line starts at 0 on the left and ends at 6,000 on the right. Major tick marks are labeled at 0, 1,500, 3,000, and 6,000. The line is divided into four equal segments by these tick marks. Each segment contains one solid black rectangle and one white rectangle with a black border, totaling two rectangles per segment.

